

PUBLIC NOTICE

NJPDES General Permits for the Municipal Stormwater Regulation Program

Notice is hereby given that the New Jersey Department of Environmental Protection (Department/NJDEP) intends to issue four New Jersey Pollutant Discharge Elimination System (NJPDES) General Permits in accordance with N.J.A.C. 7:14A, and by authority of the Water Pollution Control Act at N.J.S.A. 58:10A-1 et seq. These permits are part of the Municipal Stormwater Regulation Program, which is the primary focus of proposed changes to N.J.A.C. 7:14A that are scheduled to be published in the New Jersey Register dated January 6, 2003. Under this Program, potentially all of New Jersey's 566 municipalities, all 21 counties, the New Jersey Department of Transportation, State highway authorities, and many other State, interstate, and Federal agencies will be required to obtain a NJPDES permit for discharges from "municipal" (that is, government agency) separate storm sewers.

The four general permits are primarily intended to authorize and control new and existing stormwater discharges to surface water and groundwater from "small municipal separate storm sewer systems" ("small MS4s") as defined in these permits and in proposed amendments to N.J.A.C. 7:14A-1.2. These permits also authorize certain non-stormwater discharges (e.g., potable water sources, uncontaminated groundwater, and irrigation water) from small MS4s. The four permits are:

1. The Tier A Municipal Stormwater General Permit (Tier A Permit, NJ0141852), which is primarily for small MS4s operated by municipalities assigned to "Tier A" under proposed N.J.A.C. 7:14A-25.3(a)1 (Tier A Municipalities). Proposed N.J.A.C. 7:14A-25.3(a)3 provides a list of 467 Tier A Municipalities (and 99 "Tier B" Municipalities) for informational purposes only. These 467 Tier A Municipalities are found in every county.
2. The Tier B Municipal Stormwater General Permit (Tier B Permit, NJ0141861), which is primarily for small MS4s operated by municipalities assigned to "Tier B" under proposed N.J.A.C. 7:14A-25.3(a)2 (Tier B Municipalities). The 99 Tier B Municipalities listed in proposed N.J.A.C. 7:14A-25.3(a)3 are found in every county except Essex, Hudson, Middlesex, Passaic, and Union.
3. The Public Complex Stormwater General Permit (Public Complex Permit, NJ0141879), which is primarily for small MS4s operated by counties and State, interstate, and Federal agencies at public facilities (in Tier A Municipalities and some Tier B Municipalities) that contain two or more buildings, and that are either at colleges or universities that Statewide have at least 1,000 employees (usually present at least six hours per day on weekdays) or full-time students, or at other locations (e.g., hospitals, prisons, office complexes, or military bases) and have at least 1,000 employees, military personnel, or residents present at least six hours per day on weekdays (see proposed N.J.A.C. 7:14A-25.2(a)2).
4. The Highway Stormwater General Permit (Highway Permit, NJ0141887), which is primarily for small MS4s operated by counties and State, interstate, and Federal agencies at "highways and other thoroughfares" Statewide, including streets, roads, bridges, tunnels, maintenance facilities, service areas, and rest areas (see proposed N.J.A.C. 7:14A-25.2(a)3).

A draft NJPDES Tier A Permit (NJ0141852), Tier B Permit (NJ0141861), Public Complex Permit (NJ0141879) and Highway Permit (NJ0141887) have been prepared for small MS4s based on the administrative record filed at the NJDEP, 401 East State Street, Trenton, New Jersey 08625. These draft

permits and their fact sheets can be viewed or downloaded on the Division of Water Quality website at <http://www.state.nj.us/dep/dwq/municstw.html>. Copies of these draft documents are obtainable, for a nominal charge, and the administrative record is available for inspection by appointment only, Monday through Friday. If you are interested in scheduling an appointment or requesting specific information regarding the draft permits, contact Bruce Friedman of the Bureau of Nonpoint Pollution Control at (609) 633-7021.

Written comments must be submitted in writing by certified mail (return receipt requested), or by other means which provides verification of the date of delivery to the Department, to Barry Chalofsky, P.P., Chief, or Attention: Comments on Public Notice NJ0141852 (Tier A Permit), Public Notice NJ0141861 (Tier B Permit), Public Notice NJ0141879 (Public Complex Permit), or Public Notice NJ0141887 (Highway Permit), Bureau of Nonpoint Pollution Control, P.O. Box 029, Trenton, NJ 08625 by the close of the public comment period, which closes on March 7, 2003. Such comments must identify the particular permit(s) that is the subject of the comments. All persons who believe that any condition of these draft permits is inappropriate or that the Department's decision to issue these draft permits is inappropriate, must raise all reasonable arguments and factual grounds supporting their position, including all supporting materials, during the public comment period.

The Department will respond to all significant and timely comments upon issuance of the final permit decision. Each person who has submitted written comments or requested notice will receive notice of the Department's permit decision.

Notice is further given that, in accordance with N.J.A.C. 7:14A-15.12, non-adversarial public hearings have been scheduled to provide an opportunity for interested persons to present and submit information on the proposed permit actions. These hearings will also be on proposed changes to N.J.A.C. 7:14A scheduled to be published in the New Jersey Register dated January 6, 2003. The dates, times, and locations of these hearings follow:

Date: Thursday, February 13, 2003
Time: 2:00 P.M. to 4:00 P.M. and 8:00 P.M. to 10:00 P.M.
Location: Morris County Frelinghuysen Arboretum
Hagerty Education Center Auditorium
53 East Hanover Avenue
Morristown, N.J.

Date: Thursday, February 20, 2003
Time: 2:00 P.M. to 4:00 P.M. and 8:00 P.M. to 10:00 P.M.
Location: Collingswood Senior Community Center Ballroom
30 West Collings Avenue
Collingswood, N.J.

Date: Tuesday, February 25, 2003
Time: 12:00 P.M. to 2:00 P.M. and 6:00 P.M. to 8:00 P.M.
Location: New Jersey Department of Environmental Protection
Public Hearing Room, First Floor, 401 E. State Street
Trenton, N.J.

In response to this notice, any person may submit written comments, in the manner described above, on or before those hearing dates, or on or before March 7, 2003. (On February 13, 20, and 25, 2003 at the same locations, but at different times, separate public hearings will be held on proposed Stormwater Management Rules at N.J.A.C. 7:8.)